

REMARKS

The enclosed is responsive to Examiner's Final Office Action mailed on January 11, 2006 and is being filed pursuant to a Request for Continued Examination (RCE) as provided under 37 CFR 1.114. At the time Examiner mailed the Final Office Action claims 1-6, 9-16, 19-36, and 39-46 were pending. By way of the present response Applicants have: 1) amended claims 1, 11, 21, 31, and 46; 2) added no new claims; and 3) canceled no claims. As such, claims 1-6, 9-16, 19-36, and 39-46 are now pending. Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

Claim Objections

Claims 1 and 31 are objected to because of informalities. Applicants respectfully submit that claims 1 and 31 have been amended to overcome the Examiner's objections.

Claims 11 and 21-29 are objected to for lack of clarity. Applicants respectfully submit that claim 21 has been written in independent form with all of the features of claim 11 included. Therefore, claims 11 and 21-29 now overcome Examiner's lack of clarity objections.

35 USC §103 Rejections

Claims 1-6, 9-10, 31-36, 39-41, 43, and 44 stand rejected under 35 USC §103(a) as being unpatentable over Muller et al., US Patent No. 6,389,468 (hereinafter "Muller"), in view of Kerr et al., US Patent No. 6,513,108 (hereinafter

“Kerr”), and further in view of Blount et al., US Patent No. 5,222,217 (hereinafter “Blount”).

In reference to claims 1 and 31, Applicants respectfully submit that Muller in view of Kerr and further in view of Blount does not teach or suggest all of the features of the claims. More specifically, neither Muller, Kerr, nor Blount teach or suggest a first processor and a second processor communicating with at least one host processor of a host processing system.

The present action refers to Muller as describing the first and second processors, citing column 4, lines 7-31; column 7, lines 1-11; column 9, lines 25-52; and column 48, lines 47-56. Applicants respectfully submit that the processors described by Muller are host processors. See column 4, lines 32-38. See also Figure 1 (the host computer system is illustrated to be attached to the Network Interface Card 100 via the DMA Engine 120 port). Thus, Muller cannot describe a first and second processor communicating to at least one host processor of a host processing system because the first and second processors are host processors.

The first and second processors communicating to a host processor implies that there are separate first and second processors and host processors. The original specification of the present application explains that having processors separate from the host processor(s) is valuable in that “...the efficiency of the host processor is increased, since the host processor does not execute the network protocol stack. Host processor cycles which were consumed by network protocol processing are now freed up for application data processing.” Page 15, paragraph 47, lines 6-9.

Therefore, Muller does not teach or suggest (1) the first and second processors being separate from the host processor(s) and (2) the first and second processors communicating with the host processor(s). In addition, Applicants respectfully submit that neither Kerr nor Blount teach or suggest (1) the first and second processors being separate from the host processor(s) and (2) the first and second processors communicating with the host processor(s) since Kerr and Blount do not pertain to a networking system.

The language added to claims 1 and 31 is fully supported in the original specification on page 16, paragraph 0049, lines 2-5: "Each processor executes its own TCP/IP protocol stack and also executes a socket ISM set of computer programming code in order to communicate with the host processor..." (emphasis added).

Since Muller in view of Kerr and further in view of Blount fail to teach or suggest all of the features of claims 1 and 31, Applicants respectfully submit that claims 1 and 31 are in condition for allowance. Since claims 2-6, 9-10, 32-36, 39-41, 43, and 44 depend from independent claims 1 or 31 and include additional features, Applicants respectfully submit claims 2-6, 9-10, 32-36, 39-41, 43, and 44 are also in condition for allowance.

Claims 11-16, 19-30, 42, and 45-46 stand rejected under 35 USC §103(a) as being unpatentable over Muller in view of Kerr and Blount and further in view of Sinks et al., US Patent No. 5,206,935 (hereinafter "Sinks").

In reference to claims 11 and 21, Applicants respectfully submit that Muller in view of Kerr and in view of Blount and further in view of Sinks does not teach or

suggest all of the features of the claims. In rejection of the claims, the actions refers to the same interpretation of Muller as for claims 1 and 31. The additional features currently added to claims 1 and 31 have also been added to claims 11 and 21. Therefore, the above argument as to why claims 1 and 31 are in condition for allowance also applies to claims 11 and 21. Thus, Applicants respectfully submit that claims 11 and 21 are in condition for allowance.

Since claims 12-16, 19-20, 22-30, 42, and 45-46 depend from independent claims 11 or 21 and include additional features, Applicants respectfully submit that claims 12-16, 19-20, 22-30, 42, and 45-46 are also in condition for allowance.

Therefore, for the reasons stated above, Applicants respectfully submit that all pending claims are in condition for allowance.


CONCLUSION

Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,
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Date: 4/11, 2006


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